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EXTRACTS

FROM THE

ANGLO-SAXON LAWS

EDITED BY

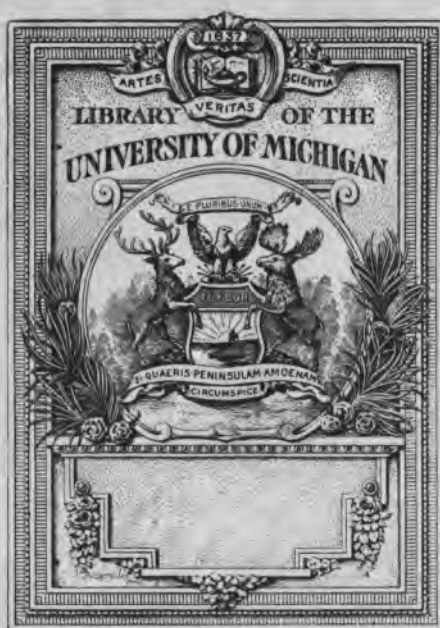
ALBERT S. COOK

ASSOCIATE IN ENGLISH AT THE JOHN HOPKINS UNIVERSITY



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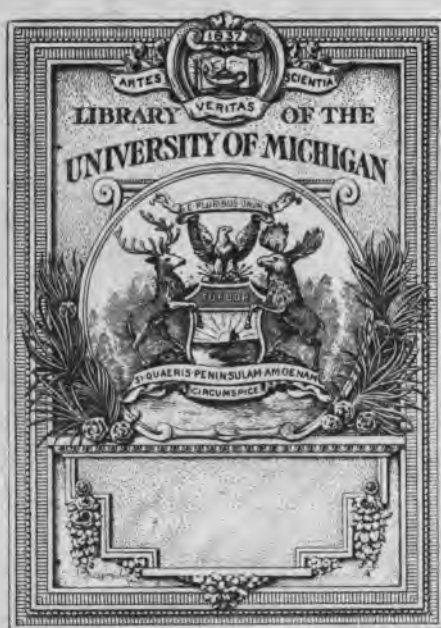
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EXTRACTS

FROM THE

ANGLO-SAXON LAWS

EDITED BY
ALBERT S. COOK
ASSOCIATE IN ENGLISH AT THE JOHNS HOPKINS UNIVERSITY



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P R E F A C E.

This collection has been made in the interest of a class of students who, while studying English Constitutional History, became desirous of a fuller acquaintance with the early laws, institutions and manners of the English people, and, with that view, pursued an elementary course in Anglo-Saxon.

Being prepared to meet an immediate and pressing demand, and not yet having assumed its final shape, the editor bespeaks for it an indulgent reception, and invites criticism and suggestion from teachers and those qualified to judge, to the end that it may be followed, in due time, by an improved edition.

BALTIMORE, MD., *June 2*, 1880.

EXTRACTS
FROM THE
ANGLO-SAXON LAWS.

A. D. *cir.* 600. *Kent.* ÆÐELBIRHT.

2. Gif cyning his leóde tó him geháteð and heom mon þær yfel gedó, II bóte and cyninge L scillinga.¹

5. Gif in cyninges túne man mannan ofsleá, L scill. gebéte.²

8. Cyninges mund-byrd, L scillinga.³

13. Gif on eorles túne man mannan ofsleahð, XII scill. gebéte.⁴

15. Ceorles mund-byrd, VI scillingas.⁵

75. Mund þære betstan widuwan eorlcundre L scillinga gebéte. þære óðre XX scill., þære priddan XII scill., þære feórðan, VI scill.⁶

A. D. *cir.* 680. *Kent.* HLÓÐHÆRE AND EADRÍC.

8. Gif man óðerne sace tihte, and hé þane mannan móte an medle oððe an þinge, symble se man þám óðrum byrigean geselle, and þám riht áwyrce, þe tó hiom Cantwara déman gescrifon.⁷

11. Gif man mannan an óðres flette mán-swara háteð, oððe hine mid bismer-wordum scandlice gréte, scilling ágelde þám þe þæt flet áge, and VI scill. þám þe hé þæt word tó-gecwæde, and cyninge XII scill. forgelde.⁸

¹Stubbs, *Select Charters*, p. 61; *Kemble, Saxons*, II 33.

²Essays in *A. S. Law*, p. 279; *Kemble, Saxons*, II 33.

³Essays in *A. S. Law*, p. 279; *Stubbs, Const. Hist. Eng.* I 175; *Kemble, Saxons*, II 33.

⁴Essays in *A. S. Law*, p. 279; *Stubbs, Const. Hist. Eng.* I 151; *Kemble, Saxons*, II 33.

⁵Essays in *A. S. Law*, p. 279; *Stubbs, Const. Hist. Eng.* I 175.

⁶Essays in *A. S. Law*, p. 166; *Stubbs, Const. Hist. Eng.* I 81, 151.

⁷Essays in *A. S. Law*, pp. 9, 290; *Stubbs, Select Charters*, p. 61.

⁸Stubbs, *Const. Hist. Eng.* I 180; *Kemble, Saxons*, II 38.

16. Gif Cantwara ænig in Lunden-wíc feoh gebycge, hæbbe him þonne twegen oððe þreó unfácne ceorlas tó gewitnesse oððe cyninges wígeréfan. Gif hit man eft æt þám men in Cent æt-fó, þonne téme hé tó wíc tó cynges sele tó þám men þe him sealde, gif hé þane wite and æt þám teáme gebrengen mæge; gif hé þæt ne mæge, gecýðe þanne in wiofode mid his gewitena ánum oððe mid cyninges wíc-geréfan, þæt hé þæt feoh undeornunga his cúðan ceápé in wíc gebohte, and him man þanne his weorð ágefe; gif hé þanne þæt ne mæge gecýðan mid rihtre canne, læte þanne an, and se ágend tó-fó.¹

A. D. *cir.* 700. *Kent.* WĪTHRÆD.

2. Ciricean mund-byrd síe L scill., swá cinges.²

16. Biscopes word and cyninges síe unlægne búton áðe.³

25. Gif man léud ofsleá an þeófðe, licge bútan wer-gelde.⁴

26. Gif man frigne man æt hæbbendre handa gefó, þanne wealde se cyning þreóra ænes, oððe hine cwelle, oððe ofer sáe selle, oððe hine his wergelde álése. Se þe hine gefó and gegange, healfne hine áge; gif hine man cwelle, geselle heom man LXX scill.⁵

A. D. *cir.* 690. *Wessex.* INE.

3. Gif þeówmon wyrce on Sunnan-dæg be his hláfordes hæse, síe hé freó and se hláford geselle XXX scill. tó wite.⁶

8. Gif hwá him ryhtes bidde beforan hwelcum scír-men oððe óðrum déman and ábiddan ne mæge, and him wedd mon sellan nelle, gebéte XXX scill., and binnan VII nihtum gedó hine ryhtes wyrðne.⁷

12. Gif þeóf síe gefongen, swelte hé deáðé, oððe his líf be his were man álýse.⁸

16. Se þe þeóf ofslihð, se mót gecýðan mid áðe, þæt hé hine synnigne ofslóge, nalles þá gegildan.⁹

19. Cyninges geneát, gif his wer bið twelf hund scill., hé mót swerian for syxtig hída, gif hé bið húslgengea.¹⁰

¹Essays in A. S. Law, pp. 187, 217, 225; Kemble, Saxons II 132, 333.

²Essays in A. S. Law, p. 279; Stubbs, Const. Hist. Eng. I 175.

³Stubbs, Const. Hist. Eng. I 175; Kemble, Saxons, II 34, 400.

⁴Essays in Anglo-Saxon Law, pp. 145, 264.

⁵Essays in A. S. Law, pp. 33, 271, 285.

⁶Essays in A. S. Law, pp. 85, 282; Stubbs, Const. Hist. Eng. I 79, 180.

⁷Essays in A. S. Law, pp. 191, 196, 290; Stubbs, Select Charters, p. 61; Const. Hist. Eng. I 111, 113; Kemble, Saxons, II 158.

⁸Essays in A. S. Law, pp. 33, 145, 264, 275, 285.

⁹Essays in A. S. Law, pp. 145, 264, 286.

¹⁰Essays in A. S. Law, p. 216; Stubbs, Const. Hist. Eng. I 175; Kemble, Saxons, II 34.

21. Gif mon þæs ofslægenan were bidde, hé mót gecýðan þæt hé hine for þeóf ofslóge, nalles þæs ofslægenan gegildan né his hláford.¹

§ 1. Gif hé hit þonne dyrneð and weorðeð ymb long yppe, þonne rýmeð hé þám deáðan tó þám áðe, þæt hine móton his mægás unsyngian.²

24. Gif wite-þeów Engliſcmon hine forſtalie, hó hine mon and ne gylde his hláforde.³

§ 1. Gif hine mon ofſleá, ne gylde hine mon his mægum, gif hie hine on twelf mónðum ne álýsdon.⁴

§ 2. Wealh, gif hé hafað fif hýða, hé bið syx-hynde.⁵

35. Se þe þeóf slihð, hé mót áðe gecýðan þæt hé hine fleóndne for þeóf slóge, and þæs deáðan mægás him ſwerian unceáſes áð. Gif hé hit þonne dyrne, and ſie eft yppe, þonne forgyldde hé hine.⁶

36. Se þe þeóf geféhð, oððe him mon gefongenne ágifð, and hé hine þonne áláete, oððe þá þýfðe gedyrne, forgyldde þone þeóf be his were.

§ 1. Gif hé ealdorman ſie, þolie his ſcire, búton him cyniſg árian wille.⁷

39. Gif hwá fare unályfed fram his hláforde, oððe on oðre ſcire hine beſtele, and hine mon geáhsige, fare þær hé ær wæs, and geſelle his hláforde LX ſcill.⁸

42. Gif ceorlas gærs-tūn hæbben gemæanne, oððe oðer gedál-land tó týnanne, and hæbben ſume getýned hiora dæl, ſume næbben, and etten hiora gemænan æceras oððe gærs, gán þá þonne, þe þæt geat ágan, and gebéten þám oðrum, þe hiora dæl getýnedne hæbben, þone æfwerdſlan þe þær gedón ſie, and ábidden him æt þám ceápe ſwilec ryht, ſwylce hit cyn ſie.⁹

§ 1. Gif þonne hryðera hwelc ſie, þe hegas brece and gá in ge-hwær, and ſe hit nolde gehealdan, ſe hit áge, oððe ne mæge, nime, ſe hit on his æcere méte, and ofſleá, and nime ſe ágenfrigea his fel and flæſc and þolie þæs oðres.¹⁰

45. Burg-bryce mon ſceal bétan CXX ſcill. cyniſges and biſ-

¹Essays in A. S. Law, pp. 264, 286.

²Essays in A. S. Law, pp. 145, 264, 286.

³Essays in A. S. Law, p. 282.

⁴Essays in A. S. Law, p. 139.

⁵Stubbs, Const. Hist. Eng. I 161.

⁶Essays in A. S. Law, pp. 145, 264, 275, 286.

⁷Essays in A. S. Law, p. 281; Stubbs, Select Charters, p. 61; Const. Hist. Eng. I 111; Kemble, Saxons, II 46, 50, 134, 158.

⁸Essays in A. S. Law, p. 85; Stubbs, Select Charters, p. 62; Const. Hist. Eng. I 111.

⁹Essays in A. S. Law, p. 296; Stubbs, Const. Hist. Eng. I 84.

¹⁰Essays in A. S. Law, p. 296.

cepes, þær his rice bið. Ealdormonnes LXXX scill. Cyninges pegnes LX scill. Gesiðcundes monnes land-hæbbendes XXXV scill., and bi þon ansacan.¹

51. Gif gesiðcund mon landágende forsitte fyrd, geselle CXX scill. and þolie his landes; unlandágende LX scill. Cyrlicsc XXX scill. tó fyrd-wíte.²

57. Gif ceorl ceáp forstelð, and bireð into his ærne, and beféhð hit þærinne mon, þonne bið se his dæl synnig, bútan þám wífe ánum, forþon heó sceal hire ealdore híran. Gif heó dear mid áðe gecýðan, þæt heó þæs forstolenan ne onbite, nime hire þridðan sceat.³

70. Æt twý-hyndum were mon sceal sellan tó mon-bóte XXX scill., æt syx-hyndum LXXX scill., æt twelf-hyndum CXX.⁴

74. Gif þeow-wealh Engliscne monnan ofsliehð, þonne sceal se þe hine áh weorpan hine tó honda hláforde and mægum oððe LX scill. gesellan wið his feore.⁵

§ 1. Gif hé þonne þone ceáp nelle fore gesellan, þonne mót hine se hláford gefreógan, gylden siððan his mægás þone wer, gif hé mæg-burg hæbbe freó. Gif hé næbbe, héden his pá gefán.⁶

§ 2. Ne þearf se frige mid þám þeowan mæg-gyldan, búton hé him wille fæhðe of-ácepian, né se þeowa mid þý frigean.⁷

A. D. *cir.* 890. *Wessex.* ÆLFRÉD.

II. 3. Gif hwá cyninges borg ábrece, gebéte þone tyht swá him ryht wisie, and þæs borges bryce mid V pundum mærra peninga. Ærcebiscepes borges-bryce oððe his mund-byrd gebéte mid þrim pundum, oðres biscepes oððe ealdormonnes borges-bryce oððe mund-byrd gebéte mid twám pundum.⁸

4. Gif hwá ymb cyninges feorh sýrwie, þurh hine oððe þurh wreccena feormunge; oððe his manna, sie hé his feores scyldig and ealles þæs þe hé áge.⁹

§ 1. Gif hé hine selfne triowan wille, dó þæt be cyninges wer-gelde.

¹Essays in A. S. Law, p. 279; Stubbs, *Select Charters*, p. 62; *Const. Hist. Eng.* I 155, 175; *Kemble, Saxons*, II 144, 399.

²Essays in A. S. Law, p. 117; Stubbs, *Select Charters*, p. 62; *Const. Hist. Eng.* I 153, 190.

³Essays in A. S. Law, pp. 123, 175, 176, 217.

⁴Essays in A. S. Law, pp. 62, 63, 86, 281.

⁵Essays in A. S. Law, pp. 144, 147, 266.

⁶Essays in A. S. Law, pp. 139, 294.

⁷Essays in A. S. Law, p. 280.

⁸Essays in A. S. Law, p. 279; Stubbs, *Const. Hist. Eng.* I 175; *Kemble, Saxons*, II 34, 399.

⁹Essays in A. S. Law, p. 271; Stubbs, *Select Charters*, p. 62; *Kemble, Saxons*, II 35, 50.

§ 2. Swá wé eác settað be eallum háðum, ge ceorle ge eorle, Se þe ymb his hláfordes feorh syrwe, sie hé wið þone his feores scyldig, and ealles þæs þe hé áge, oððe be his hláfordes were hine getriówe.¹

22. Gif mon on folces gemóte cyninges geréfan geyppe eofot, and his eft geswican wille, gestæle on ryhtran hand, gif hé mæge; gif hé ne mæge, þolie his ángyldes, [and fó tó þám wite].²

27. Gif fædren-mæga mægleás mon gefeohte and mon ofsleá, and þonne gif hé méðren-mægas hæbbe, gylden þá þæs weres þridan dæl, þridan dæl þá gegildan, for þridan dæl hé fleó.³

§ 1. Gif hé méðren-mægas náge, gyldan þá gegildan healfne, for healfne hé fleó.

28. Gif mon swá gerádne mon ofsleá, gif hé mægas náge, gylde mon healfne cyninge, healfne þám gegildan.⁴

38. Gif mon beforan cyninges ealdormen on gemóte gefeohte, béte wer and wite, swá hit ryht sie, and beforan þám CXX scill. þám ealdormen tó wite.⁵

§ 1. Gif hé folc-gemót mid wæpnes bryde áráere, þám ealdormen hund-twelftig scill. tó wite.⁶

§ 2. Gif þises hwæt beforan cyninges ealdormannes gingran gelimpe, oððe cyninges preoste, XXX scill. tó wite.⁷

42. Eác wé beóðað, se mon se þe his gefán hám-sittendne wite, þæt hé ne feohte ærþám þe hé him ryhtes bidde.

§ 1. Gif hé mægnes hæbbe, þæt hé his gefán beride and inne besitte, gehealde hine VII niht inne, and hine on ne feohte, gif hé inne geþolian wille; and þonne ymb VII niht, gif hé wille on hand gán, and his wæpenu sellan, gehealde hine XXX nihta gesundne, and hine his mægum gebodie and his freóndum.⁸

§ 2. Gif hé þonne cirican geirne, sie þonne be þære cirican áre, swá wé ær bufan cwædon.⁹

§ 3. Gif hé þonne þæs mægenes ne hæbbe, þæt hé hine inne besitte, ride tó þám ealdormen, and bidde hine fultumes. Gif hé him fultumian ne wille, ride tó cyninge ær hé feohte.¹⁰

§ 4. Eác swylce gif mon becume on his gefán, and hé hine ær hám-fæstne ne wite, gif hé wille his wæpen sellan, hine mon gehealde

¹Stubbs, Const. Hist. Eng. p. 176.

²Essays in A. S. Law, p. 10; Stubbs, Select Charters, p. 63; Kemble, Saxons, II 169.

³Essays in A. S. Law, pp. 138, 145; Stubbs, Select Charters, p. 63; Const. Hist. Eng. I 82.

⁴Stubbs, Select Charters, p. 63; Const. Hist. Eng. I 82.

⁵Stubbs, Select Charters, p. 63; Essays in A. S. Law, p. 11; Kemble, Saxons, II 135.

⁶Stubbs, Const. Hist. Eng. I 111.

⁷Stubbs, Const. Hist. Eng. I 104; Kemble, Saxons, II 139.

⁸Essays in A. S. Law, p. 144.

⁹Essays in A. S. Law, p. 270.

¹⁰Kemble, Saxons, II 137.

XXX nihta, and hine his freóndum gecýðe; gif hé ne wille his wæpenu sellan, þonne mót hé feohtan on hine. Gif hé wille on hond gán and his wæpenu sellan, and hwá ofer þæt on him feohte, gylde swá wer swá wunde, swá hé gewyrce, and wite, and hæbbe his mæg forworht.

§ 5. Eac wé cweðað, þæt mon móte mid his hláforde feohtan orwige, gif mon on þone hláford feohte, swá mót se hláford mid þý men feohtan.¹

§ 6. Æfter þære ilcan wisan mon mót feohtan mid his geborenum mæge, gif hine mon on wóh onfehtað, búton wið his hláforde, þæt wé ne lýfað.²

§ 7. And mon mót feohtan orwige, gif hé geméteð óðerne æt his æwum wífe betýnedum durum oððe under áre reón, oððe æt his déhter æwum-borenre, oððe æt his swister æwum-borenre, oððe æt his médder, þe wære tó æwum wífe forgifen his fæder.³

A. D. *cir.* 920. *Wessex.* EÁDWEARD.

I. *Preamble.* Eádweard cyning být þám geréfum eallum, þæt gé déman swá rihte dómas swá gé rihtoste cunnon, and hit on þære dómbéc stande. Ne wandiað for nánum þingum folc-riht tó gereccanne, and þæt gehwíl sprác hæbbe andagan, hwænne heó gelæst sý, þæt gé þonne gereccan.

1. And ic wille, þæt gehwíl man hæbbe his geteáman, and nán man ne ceápige bútan porte, ac hæbbe þæs portgeréfán gewitnesse oððe óðera ungeligenra manna, þe man gelyfan mæge.⁴

§ 1. And gif hwá bútan porte ceápige, þonne sý hé cyninges oferhýrnesse scyldig, and gange se teám þeáh forð, óð þæt man wite hwær hé óðstande.⁵

II. 3. Gif hwá pýfðe betogen sý, þonne niman hine on borh þá, þe hine ár hláforde befæston, þæt hé hine þæs getrýwsige, oððe óðere frýnd, gif hé hæbbe, dón þæt sylfe.⁶

§ 1. Gif hé nyte hwá hine on borh nime, þonne niman þá, þe hit tó-gebyreð, on his æhtan in-borh.

§ 2. Gif hé náðor næbbe, né æhta né óðerne borh, þonne healde hine man tó dóme.⁷

¹Essays in A. S. Law, pp. 265, 270.

²Essays in A. S. Law, p. 270.

³Essays in A. S. Law, pp. 145, 152, 266.

⁴Essays in A. S. Law, p. 187.

⁵Essays in A. S. Law, pp. 224, 225; Stubbs, Const. Hist. Eng. I 183; Kemble, Saxons, p. 38.

⁶Essays in A. S. Law, pp. 147, 291.

⁷Essays in A. S. Law, p. 292.

6. Gif hwá þurh stæl-tihtlan freót forwyrce, and his hand on hand sylle, and hine his mægas forlætan, and hé nyte hwá him fore-béte, þonne sý hé þæs þeów-weorces wyrðe þe þær-tó gebyrige, and óðfealle se wer þám mágum.¹

8. Ic wille, þæt ælc geréfa hæbbe gemót á ymbe feówer wucan, and gedón þæt ælc man sý folc-rihtes wyrðe, and þæt ælc spræc hæbbe ende and andagan, hwænne hit forðcume. Gif hit hwá ofer-hebbe, béte swá wé ær cwædon.²

A. D. *cir.* 930. ÆÐELSTÁN.

II. 1. Ærest, þæt mon ne sparige nænne þeóf, þe æt hæbbendre handa gefangen sý, ofer XII winter and ofer eahta peningas.³

2. And wé cwædon be þæm hláfordleásum mannum, þe man nán ryht æt-begytan ne mæg, þæt man beóde þære mægðe þæt hí hine tó folc-ryhte gehámetten and him hláford finden on folc-gemóte; and gif hí hine þonne begytan nyllen óððe ne mægen tó þám andagan, þonne beó hé syððan flýma, and hine lecge for þeóf se þe him tó-cume; and se þe hine ofer þæt feormige, forgyldre hine be his were, óððe hé hine be þám ládige.⁴

8. And wé cwædon, gif hwylc landleás man folgode on óðre scíre, and eft his magas geséce, þæt hé hine on þá gerád feormige, þæt hé hine tó folc-ryhte gelæde gif hé þær gylt gewyrce, óððe fore-béte.⁵

11. And wé cwædon, se þe scyldunga báde æt ofslagenum þeófe, þæt hé eóde þreóra sum tó, twegen on fæderan mægas, and þridða on méðren, and þone áð sylle, þæt hí on heora mæge náne þýfðe nyston, þæt hé his feores wyrðe nære for þám gylte; and hí gán siððan XII sume and gescyldigen hine, swá hit ær gecweden wæs; and gif þæs deáðan mægas þider cuman noldon tó þám andagan, gilde ælc, þe hit ær sprece, CXX scill.⁶

12. And wé cwædon, þæt man nænne ceáp ne ceápige bútan porte ofer XX penega, ac ceápige þær binnan on þæs port-geréfan gewitnesse óððe óðres unlygenes mannes, óððe eft on þara geréfa gewitnesse on folc-gemóte.⁷

¹Essays in A. S. Law, p. 139.

²Stubbs, Select Charters, p. 64; Const. Hist. Eng. I 101, 102; Essays in A. S. Law, p. 11; Kemble, Saxons, II 155.

³Essays in A. S. Law, pp. 160, 285.

⁴Stubbs, Select Charters, p. 66; Const. Hist. Eng. I 80, 82, 87; Essays in A. S. Law, pp. 85, 146.

⁵Essays in A. S. Law, pp. 146, 291; Stubbs, Const. Hist. Eng. I 82.

⁶Essays in A. S. Law, pp. 138, 146, 264, 284, 286, 287.

⁷Essays in A. S. Law, p. 187; Stubbs, Select Charters, p. 66; Const. Hist. Eng. I 111; Kemble, Saxons, II 159, 175, 337.

20. Gif hwá gemót forsitte þríwa, gilde þæs cynges oferhýrnesse, and hit beó seofon nihtum geboden, ær þæt gemót sý.¹

§ 1. Gif hé þonne ryht wyrcean nylle, né þá oferhýrnesse syllan, þonne ridan þá yldestan men ealle tó, þe tó þære byrig hýron, and nimon eall þæt hé áge, and settan hine on borh.²

VI. 8, § 1. Þæt wé ús gegaderian á emban ænne mónað, gif we mágon and æmtan habban, þá hynden-menn and þá þe þá teóðunge bewitan, swá mid bytt-fyllinge swá elles swá ús tó-anhagie, and witan hwæt úre gecwidráeddene gelæst sý, and habban þá XII menn heora metscipe tógæderè, and fédan hig swá swá hig sylfe wyrðe munon, and dælon ealle þá mete-láfe Godes þances.³

A. D. *cir.* 943. EÁDMUND.

II. 1. Gif hwá heonon-forð ænigne man ofsleá, þæt hé wege sylf þá fæhðe, bútan hé hí mid freónda fylste binnan twelf mǫnðum forgyldre be fullan were, sý swá boren swá hé sý.⁴

§ 1. Gif hine þonne seó mægð forlæte, and him fore-gyldan nellen, þonne wille ic, þæt eal seó mægð sý unfáh, bútan þám hand-dædan, gif hí him syððan ne dóð mete ne munde.⁵

7. Witan scylon fæhðe settan; árest, æfter folc-rihte, slaga sceal his for-specan on hand syllan, and se for-speca mágum, þæt se slaga wille bétan wið mægðe; þonne syððan gebyreð þæt man sylle þæs slagan for-specan on hand, þæt se slaga móte mid griðe nýr and sylf weres weddian þonne hé þæs beweddod hæbbe, þonne finde hé þær-tó wære-borh; þonne þæt gedón sý, þonne rære man cyninges munde; of þám dæge on XXI niht gilde man healsfang; þæs on XXI niht man-bóte; þæs on XXI niht þæs weres þæt frum-gyld.⁶

A. D. 959-975. EÁDGÁR.

I. 2. Gif neód on handa stande, cyððe hit man þám hundredesmen, and hé syððan þám teóðing-mannum, and faran ealle forð, þær him God wisige, þæt hí tó-cuman móton; dó þám þeófe his riht, swá hit ær Eádmundes cwide wæs, and sylle mon þæt ceápgyld þám þe þæt yrfe áge, and dæle man þæt óðer on twá, healf þám hundrede, healf þám hláforde, bútan mannum, and fosehláford tó þám mannum.⁷

¹Essays in A. S. Law, pp. 196, 284; Stubbs, Select Charters, p. 66; Kemble, Saxons, II 38, 51.

²Essays in A. S. Law, p. 293.

³Stubbs, Select Charters, p. 67; Const. Hist. Eng. I 85.

⁴Essays in A. S. Law, p. 266.

⁵Essays in A. S. Law, pp. 140, 270; Kemble, Saxons, II 39.

⁶Essays in A. S. Law, pp. 144, 145; Stubbs, Const. Hist. Eng. I 82, 181; Kemble, Saxons, II 39.

⁷Stubbs, Select Charters, p. 70; Const. Hist. Eng. I 85, 101.

3. And se man þe þis forsitte, and þæs hundredes dóm forsace, and him mon eft þæt ilce gerecce, gesylle man þám hundrede XXX peninga, and æt þám æfteran cyrre syxtig penega, half þám hundrede, half þám hláforde. Gif hé hit þridðan siðe dó, sylle healf pund, æt þám feorðan cyrre þolie ealles þæs þe hé áge, and beo útlah, búton him se cyng eard ályfe.¹

4. And wé cwædon be uncūðum yrfe, þæt nán man næfde, búton hé hæbbe þæs hundredes manna gewitnyssa, oððe þæs teoðingmannes, and se sý wel getrywe; and búton hé þara oðer hæbbe, nele him mon nænne teám geþafian.²

5. Eac wé cwædon, gif him hundred bedriðe trod on oðer hundred, þæt mon cýðe þám hundredes-men, and hé þonne þær mid-fare. Gif hé hit forsitte, gesylle þám cyngc þritig scill.³

III. 6. And finde him ælc man þæt hé borh hæbbe, and se borh hine þonne tó ælcom rihte gelæde and gehealde, and gif hwá þonne wóh wyrce and út-óðberste, ábere se borh þæt hé áberan scolde. Gif hit þonne þeóf beó, and gif hé hine binnan twelf mōnðum gelangian mæge, ágife hine tó rihte, and him man ágife þæt hé ær geald.⁴

7. And se þe tiht-bysig sý and folce ungetrywe and þas gemót forbuge þrywa, þonne sceawige man of þám gemóte þá þe him tóridan, and finde him þonne gyt borh, gif hé mæge; gif hé þonne ne mæge, gewylde man hine swaðor man mæge, swá cucene swá deaðne, and nime eal þæt hé áge; and gylde man þám teonde his ceáp-gyld ángyldes, and fō se hláford elles tó healfan, tó healfan þæt hundred; and gif áðer oððe mæg oððe fremde þá ráde forsace, gilðe þám cyngc hund-twelftig scillinga; and geséce se ábera þeóf þæt þæt hé geséce, oððe þe se on hláford-searwe gemét sý, þæt hí næfre feorh ne gesécen, búton se cyning him feorh-generes unne.⁵

IV. 8. Gif hé þonne unmyndlunge ceáp árédige út on hwylcere fare, búton hé hit ær cydde þá hé út-rád, cýðe hit þonne hé hám cyme, and gif hit cuce orf bið, mid his tūnscipes gewitnyse on gemænre læse gebringe. Gif hé swá ne déð ær fif nihtum, cýðan hit þæs tūnes men þám hundredes ealdre, and beón búton wíte ægðer ge hí sylfe ge heora hirdas, and þolige þæs orfes, þe hit þider

¹Stubbs, *Select Charters*, p. 70; *Const. Hist. Eng.* I 104, 180, 181.

²Stubbs, *Select Charters*, p. 70; *Const. Hist. Eng.* I 85, 101; *Essays in A. S. Law*, p. 205; *Kemble, Saxons*, II 38, 338.

³Stubbs, *Select Charters*, p. 70; *Const. Hist. Eng.* I 101.

⁴Stubbs, *Select Charters*, p. 71; *Essays in A. S. Law*, p. 147.

⁵*Essays in A. S. Law*, pp. 140, 196, 275, 281; *Stubbs, Const. Hist. Eng.* I 181; *Kemble, Saxons*, II 50.

brohte, for þý þe hé hit his neáh-gebúrum cýðan nolde, and fó se land-ríca tó healfan and tó healfan þæt hundred.¹

A. D. 978-1016. ÆðELRÉD.

II. 6. Gif hit binnan byrig gedón bið, seó frið-braec, fare seó buruhwaru sylf tó and begyte þá banan, cuce oððe deáde, heora nýhstan mágas, heáfod wið heáfde. Gif hí nellan, fare se ealdor-man tó; gif hé nelle, fare se cyning tó; gif hé nelle, licge se ealdor-dóm on unfriðe.²

9. Hwílon stód þæt man sceolde prýwa týman, þær hit árest befangen wære, and syððan fylgean teáme swá hwær swá man tó-cende. Þá geræddan witan þæt hit betere wære, þæt man æfre týmde þær hit árest befangen wære, swá longe þæt man wiste hwær hit ætstandan wolde. Þý læs þe mon unmihtigne man tó feor and tó lange for his ágenan swencte. Swunce máre se þe unriht gestreón on his handa stóde and læsse se þe þær áriht onspræce.³

§ 4. Eác betweóx teáme, gif hwá tó-féhð and ná furðor teám ne cenð, ac ágnian wile, ne mæg mon þæs wyrnan, gif getrýwe gewitnes him tó ágenunge rýmð, forþám ágnung bið nér þám þe hæfð, þonne þám þe æfter sprecð.⁴

III. 3. And land-cóp and hláfordes gifu, þe hé on riht áge tó gifanne, and lah-cóp and wit-word and gewitnes, þæt þæt stande, þæt hit nán man ne áwende; and þæt man hæbbe gemót on ælcum wápentáke, and gán út þá yldestan XII þegnas and se geréfa mid, and swerian on þám háligdóme, þe heom man on hand sylle, þæt hig nellan nænne sacleásan man forsecgan né nænne sacne forkelan; and niman þonne þá tiht-bysian men, þe mid þám geréfan sace habbað, and heora ælc sylle VI healf-marc wedd, healf land-rícan and healf wápen-táke, and ælc bicge him lage mid XII óran, healf land-rícan healf wápen-táke; and ælc tiht-bysig man gange tó prýfealdan ordále oððe gilde feówer-gilde.⁵

6. And ælc tíond áge geweald swá hwæðer hé wille, swá wæter swá ísen, and ælc teám and ælc ordál beó on þæs cyninges byrig; and gif hé þæt ordál forfleó, gilde se borh hine be his were.⁶

¹Essays in A. S. Law, pp. 23, 205, 225; Stubbs, Const. Hist. Eng. I 82, 90, 101.

²Essays in A. S. Law, pp. 140, 143, 144, 270; Stubbs, Select Charters, p. 72.

³Essays in A. S. Law, p. 223.

⁴Essays in A. S. Law, pp. 215, 220, 239.

⁵Stubbs, Select Charters, p. 72; Const. Hist. Eng. I 103, 104; Essays in A. S. Law, pp. 101, 278, 303; Kemble, Saxons, II 176.

⁶Essays in A. S. Law, pp. 39, 291, 301.

11. And nán man náge náne sócne ofer cyninges þegen, búton cyng sylf.¹

VI. 12. And æfre ne geweorðe þæt cristen man gewífige in VI manna sib-fæce on his ágenum cynne, þæt is binnan þám feórðan cneówe, né on þæs láfe þe swá neáh wære on woruldcundre sibbe, né on þæs wifes nýd-mágan þe hé ær hæfde. Né on gehálgóðre ænigre nunnan, né on his gefæderan, né on æ-lætan ænig cristen man ne gewífige æfre, né ná má wífa þonne án hæbbe, ac beó be þære ánre, þá hwíle þe heó libbe, se þe wille Godes lage gyman mid rihte, and wið helle bryne beorgan his sáwle.²

VIII. 2. And þæt is þonne ærest, þæt hé his ágenne wer gesylle þám cyninge and Criste, and mid þám hine sylfne inlagige tó bóte, forþám cristen cyning is Cristes gespelia geteald on cristenre peóde, and hé sceal Cristes ábilgðe wrecan swiðe georne.³

23. And gif man gehádodne mid fæhðe belecge, and secge þæt hé wære dæd-bana oððe ræd-bana, ládige mid his mágan, þe fæhðe móton mid-beran, oððe fore-bétan.⁴

A. D. 1016-1035. CNUT.

I. 2. And godes cirican griðian and friðian and gelómlíce sécean, sáwlum tó hæle and ús sylfum tó þearfe.

§ 1. Ælc cirice is mid rihte on Cristes ágenan griðe, and ælc cristen-man áh micle þearfe, þæt hé on þám griðe micle mæðe wite, forþám Godes grið is ealra griða sélost tó geearnianne and geornost tó healdenne, and þær nehst cyninges.

§ 2. Þonne is swiðe rihtlic, þæt Godes ciric-grið binnan wagum and cristenes cyninges hand-grið stande efen unwemme; and se þe áðor fulbrece, polige landes and lifes, búton him se cyning gearian wylle.

§ 3. And gif æfre ænig mann heonon-forð Godes ciric-grið swá ábrece, þæt hé binnon ciric-wagum mann-slaga weorðe, þonne sig þæt bótleás, and ehte his ælc pára, þe Godes freónd sig, búton þæt geweorðe, þæt hé þanon ætberste, and swá deópe friðsócne geséce, þæt se cyning him þurh þæt feores geunne wið fulre bóte, ge wið God ge wið menn.⁵

§ 4. And þæt is þonne ærest, þæt hé his ágenne wer Criste and

¹Stubbs, *Select Charters*, p. 73; *Const. Hist. Eng. I* 157, 186; *Essays in A. S. Law*, p. 40; *Kemble, Saxons*, II 44.

²*Essays in A. S. Law*, pp. 127, 138.

³*Essays in A. S. Law*, p. 282; *Stubbs, Const. Hist. Eng. I* 177, 180.

⁴*Essays in A. S. Law*, pp. 140, 144, 270, 280.

⁵*Essays in A. S. Law*, p. 41.

þám cyninge gesylle, and mid þám hine sylfne inlagie tó bóte; and gif hit þonne tó bóte gegá, and se cyning þæt gefafige, þonne béte man þæt ciric-grið into þære cirican be cyninges fullan mund-bryce, and þá mynster-clænsunge begite swá þærtó gebyrige, and ægðer ge mæg-bóte ge man-bóte fulllice gebéte, and wið God húru þingie georne.¹

II. 15. And on Dena-lage hé [*scil. cyning. Ed.*] áh fyhte-wita and fyrð-wita and grið-bryce and hám-sócne, búton hé hwæne furðor gemæðrian wylle; and gif hwá þæne frið-leásan man healde oððe feormige, béte þæt swá hit ær lagu wæs.²

§ 1. And se þe unlage rære oððe undóm gedéme heonon-forð, for læððe oððe for feoh-fange, beó se wið þone cyning hund-twelftig scill. scyldig on Engla-lage, bútan hé mid áðe cýðan durre, þæt hé hit ná rihtor ne cúðe, and þolige á his þegen-scipes, bútan hé hine æt þæm cyninge gebycge and swá hé him gefaþian wylle. And on Dena-lage lah-slites scyldig, búton hé hine geládige, þæt hé ná bet ne cúðe.³

§ 2. And se þe rihte lage and rihtne dóm forsace, beó hé scyldig wið þone þe hit áge, swá wið cyning CXX scill., and swá wið eorl LX scill., swá wið hundred XXX scill., swá wið ælc þæra, gif hit swá geweorðeð on Engla-lage; and se þe on Dena-lage rihte lage wyrde, gylde hé lah-slite.

17. And ne geséce nán man þone cyning, búton hé ne móte beón nánas rihtes wyrðe innan his hundrede, and séce man hundredes gemót be wíte, eal swá hit riht is tó sécanne.⁴

18. And habbe man þriwa on geáre burh-gemót, and twá scír-gemót, be wíte, eal swá hit riht is, búton hit oftor neód sí. And þær beó on þære scíre bisceop and se ealdorman, and þær ægðer tæcan ge Godes riht ge woruld-riht.⁵

19. And ne nime nán man náne náme, né innan scíre né út of scíre, ær man hæbbe þriwa on hundrede his rihtes gebeden. Gif hé æt þám þridðan cyrre nán riht næbbe, þonne fare hé feórðan síðe tó scír-gemóte, and seó scír him sette þone feórðan andagan. Gif se þonne berste, nime þonne leáfe, ge heonon ge þanon, þæt hé móte hentan æfter his ágenan.⁶

20. And wé wyllað þæt ælc freóman beó on hundrede and on

¹Essays in A. S. Law, pp. 271, 281.

²Essays in A. S. Law, pp. 271, 281; Kemble, Saxons, II 54.

³Essays in A. S. Law, pp. 280, 289; Stubbs, Const. Hist. Eng. I 181.

⁴Stubbs, Select Charters, p. 73; Const. Hist. Eng. I 104; Kemble, Saxons, II 44.

⁵Stubbs, Select Charters, p. 73; Kemble, Saxons, II 135, 160, 392.

⁶Stubbs, Select Charters, p. 73; Const. Hist. Eng. I 104; Essays in A. S. Law, pp. 107, 193.

teóðunge gebroht, þe lade wyrðe beón wylle oððe weres wyrðe, gif hine hwá áfylle ofer XII wintre, oððe hé ne beó syððan æniges freó-rihtes wyrðe, sý hé heorð-fæst sý hé folgere. And þæt ælc sý on hundrede and on borge gebroht, and gehealde se borh hine and gelæde tó ælcan rihte.¹

§ 1. Manig strec man wyle, gif hé mæg and mót, werian his man swá hwæðer him þincð þæt hé hine eáð áwerian mæge, swá for frigne swá for þeówne. Ac wé nellað gefafian þæt unriht.

21. And wé wyllað þæt ælc man ofer twelf wintre sylle þone áð þæt hé nelle þeóf beón né þeófes gewita.²

33. And gif hwylc man sý, þe eallum folce ungetrywe sý, fare þæs cyninges geréfa tó, and gebringe hine under borge, þæt hine man tó rihte læde þám þe him onsprecan.³

§ 1. Gif hé þonne borh næbbe, sleá hine man and on fúlan legge; and gif hine hwá forene forstande, beón hig begen ánes rihtes wyrðe.

§ 2. And se þe þis forsitte, and hit geforðian nylle, swá úre ealra cwide is, sylle þám cyninge hund-twelftig scill.

36. And gif hwá mæne-áð ón háligdóme swerige and hé ofer-stæled weorðe, polige þæra handa oððe healfes weres, and þæt sý gemæne hláforde and bisceope. And ne beó hé þanon-forð áðes wyrðe, búton hé for Gode þe deóppor gebéte and him borh finde þæt hé æfre eft swylces geswice.⁴

37. And gif hwá on léasre gewitnesse openlice stande and hé oferstæled weorðe, ne stande his gewitnesse syððan for áht, ac gylde þám cyninge oððe land-rícan be healsfange.⁵

70. And gif hwá cwydeleás of þissum life gewite, sý hit purh his gýmeleáste, sý hit purh færlícne deáð, þonne ne teó se hláford ná máre on ius æhte, bútan his rihtan here-geate. Ac beó be his dihte seó æht gescyft swýðe rihte wífe and cildum and néh-mágon, ælcum be þære mæðe þe him tó-gebyrige.⁶

71. And beón þá here-geata swá hit mæðlic sý. Eorles swá þær-tó gebyrige, þæt syndon eahta hors, feówer gesadelode and feówer ungesadelode, and feówer helmas and feówer byrnan and ehta spera and eall swá fela scylda and feówer swurd and twá hund mancus goldes.⁷

¹Stubbs, *Select Charters*, p. 73; *Const. Hist. Eng.* I 87; *Essays in A. S. Law*, pp. 147, 160.

²*Essays in A. S. Law*, pp. 160, 161; *Kemble, Saxons*, II 35; *Stubbs, Select Charters*, p. 74; *Const. Hist. Eng.* I 206.

³*Essays in A. S. Law*, pp. 196, 275, 294.

⁴*Essays in A. S. Law*, pp. 282, 297.

⁵*Essays in A. S. Law*, p. 42.

⁶*Stubbs, Select Charters*, p. 74; *Essays in A. S. Law*, pp. 76, 133; *Kemble, Saxons*, II 31, 163.

⁷*Stubbs, Select Charters*, p. 74; *Const. Hist. Eng.* I 157.

§ 1. And syððan cyninges pegenes, þe him nýhste syndon, feówer hors, twá gesadelode and twá ungesadelode, and twá swurd and feówer spera and swá fela scylda, and helm and byrnan and fiftig mancus goldes.

§ 2. And medemra þegna : hors and his geræðlan and his wæpn oððe his healsfang on West-sexan, on Myrcan twá pund and on Eást-Englan twá pund.

73. And sitte ælc wuduwe werleás twelf-mónað, ceóse syððan þæt heó sylf wille; and gif heó binnan geáres fæce wer geceóse, þonne polige heó þære morgen-gyfe and ealra þæra æhta, þe heó þurh ærran wer hæfde, and fón þá nehstan frýnd tó þam lande and tó þam æhtan, þe heó ær hæfde.¹

§ 1. And sý hé his weres scyldig wið þone cyning oððe wið þone, þe hit geunnen hæbbe.²

§ 2. And þeah heó nýdnumen weorðe, polige þæra æhta, biuton heó fram þam ceorle wille eft hám ongeán and næfre eft heó his ne weorðe.

§ 3. And ne hádige man æfre wudewan tó hrædlíce.³

§ 4. And gelæste ælc wuduwe þá here-geata binnan twelf mǫndum, biuton hire ær tó-onhagige, witeleás.

Gerædnes betweox Dunsétan.

8. Gif mon orf befó, and man ofer streám hit týman wylle, þonne sette man in-borh oððe under-wed lecge, þæt seó spréc ende hæbbe. Se þe hit him tó-teó, sylle sixa sum þone áð, þæt hé hit him swá tó-teó, swá hit him þeóf-stolen wære, and se þe hit týme, sylle ána þone áð, þæt hé hit tó þære handa týme, þe him sealde. Gif hit man begeondan streáme ágnian wylle, þonne sceal þæt beón mid ordále. Gelíce þám Englisc sceal Wyliscan rihte wyrcean.⁴

Rectitudines Singularum Personarum.

1. Pegenes lagu is, þæt hé sý his bók-rihtes wyrðe, and þæt hé preó þing of his lande dó : fyrð-færeld and burh-bóte and bryc-geweðrc. Eác of manegum landum máre land-riht árist tó cyniges gebanne, swilce is deór-hege tó cyniges háme, and scorp tó frið-scipe, and sæ-weard, and heáfod-weard, and fyrð-weard; ælmes-feoh and cyric-sceat, and manige óðere mistlíce þinge.

¹Essays in A. S. Law, p. 178.

²Essays in A. S. Law, p. 42.

³Essays in A. S. Law, p. 181.

⁴Essays in A. S. Law, pp. 207, 208, 214.

Be Leód-geþincðum and Lage.

1. Hit was hwílum on Engla lagum þæt leód and lagu fór be geþincðum, and þá wæron leód-witan weorð-scipes wyrðe, ælc be his mæðe, eorl and ceorl, þegen and þeóden.

3. And gif þegen geþeáh, þæt hé þénode cyng and his rád-stefne rád on his hiráde, gif hé þonne hæfde þegen, þe him fyligde, þe tó cinges út-ware fif hýða hæfde, and on cinges sele his hláforde þénode, and þríwa mid his árende gefóre tó cinge, se móste syððan mid his for-áðe his hláford áspelian æt mistlícan neóðan and his onspæce geræcan mid rihte, swá hwær swá hé sceolde.

5. And gif þegen geþeáh, þæt hé wearð tó eorle, þonne wæs hé syððan eorl-rihtes weorðe.

Be Wifmannes Beweddunge.

1. Gif man mæðan oððe wif weddian wille, and hit swá hire and freóndan gelícige, þonne is riht þæt se brýd-guma æfter Godes rihte and æfter world-gerysnum árest beháte and on wedde sylle þám men, þe hire forsprecan synd, þæt hé on þá wisan hire geornige, þæt hé hý æfter Godes rihte healdan wille, swá wer his wif sceal, and áborgian his frýnd þæt.¹

2. Æfter þám is tó witanne, hwám þæt foster-leán gebyrige; weddige se brýd-guma eft þæs, and hit áborgian his frýnd.

3. Þonne syððan cýðe se brýd-guma, hwæs hé hire geunne wið þám þæt heó his willan geceóse, and hwæs hé hire geunne, gif heó leng sý þonne hé.

4. Gif hit swá geforword bið, þonne is riht, þæt heó sý healfes yrfes wyrðe and ealles, gif hý cild gemæne hæbban, búte heó eft wer ceóse.

5. Trymme hé eal mid wedde þæt þæt hé beháte, and áborgian frýnd þæt.

6. Gif hý þonne ælces þinges sammæle beón, þonne fón mágas tó and weddian heora mágan tó wífe and tó riht lífe þám þe hire gyrnde, and fó tó þám borge, se þe þæs weddes waldend sý.

7. Gif hý man þonne út of lande læðan wille on óðres þegnes land, þonne bið hire ráed þæt frýnd þá forword habban, þæt hire man nán wóh tó ne dó, and gif heó gylt gewyrce, þæt hý móton beón bóte nýhst, gif heó næfð of hwám heó béte.²

8. Æt þám gifan sceal mæsse-preóst beón mid rihte, se sceal mid Godes blétsunge heora gesomnunge gederian an ealre gesundfulnesse.

¹Essays in A. S. Law, pp. 153, 171.

²Essays in A. S. Law, pp. 123, 172, 178.

9. Wel is eac tó warnianne, þæt man wite, þæt hý þurh mæg-sibbe tó gelænge ne beón, þe læs þe man eft twæme þæt man ær áwóh tósomne gedyde.

Be Merciscan Áðe.

Twelf-hyndes mannes áð forstent VI ceorla áð, forþám gif man þone twelf-hyndan man wrecan sceolde, hé bið full-wrecan on syx ceorlan, and his wer-gyld bið six ceorla wer-gyld.

Be Gehádodra Manna Áðe and Hád-bóte.

Mæsse-preóstes áð and woruld-þegenes is on Engla-lage geteald efen dýre; and for þám seofon ciric-hádan, þe se mæsse-preóst þurh Godes gife geþeah þæt hé hæfde, hé bið þegen-rihtes wyrðe.

Hú se man sceal swerie.

1. On þone Drihten þe þes háligdóm is fore hálig, ic wille beón N. hold and getrywe, and eal lufian þæt hé lufað, and eal áscúnian þæt hé áscúnað, æfter Godes rihte and æfter worold-gerysnum, and næfre willes né gewealdes, wordes né weorces, ówiht dón, þæs him láðre bið, wið þám þe hé mé healde swá ic earnian wille, and eall þæt læste þæt uncer formæl wæs þá ic tó him gebeah and his willan geceas.

6. On þone Drihten, se áð is clæne and unmaene, þe N. swór.¹

9. On Ælmihtiges Godes naman, nyste ic on þám þingum þe þu ymbe specst, fúl ne fácn, ne wác ne wom, tó þære dæg-tíde þe ic hit þe sealde, ac hit ægðer wæs, ge hál ge clæne, bútan ælcon fácn.²

11. On lifiendes Godes naman, ne þearf ic N. sceatt né scilling, né penig né peniges weorð, ac eal ic him gelæste þæt þæt ic him scolde, swá forð swá uncre word-gecwyrdu fyrrest wæron.³

Be Bláserum and be Morð-slihtum.

Wé cwædon be þám bláserum and be þám morð-slyhtum, þæt man dýpte þone áð be þryfealdum and myclade þæt ordál-isen þæt hit gewege þry pund, and eode se man sylf tó, þe man tuge, and hæbbe se teónd cyre swá wæter-ordál swá isen-ordál swá hwæðer him leofre sý. Gif hé þone áð forð-bringan ne mæg, and hé þonne fúl sí, stande on þæra yldesta manna dóme, hweðer hé líf áge þe náge, þe tó þære byrig híran.

¹Essays in A. S. Law, p. 297.

²Essays in A. S. Law, p. 196.

³Essays in A. S. Law, p. 195.

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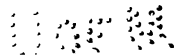
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